

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

ELVIN MERCADO )  
 )  
 v. ) Civil No. 04-11653-PBS  
 )  
 UNITED STATES OF AMERICA )  
 )

GOVERNMENT'S MOTION TO CONTINUE RESPONSE DATE

The United States hereby moves that the time to file a response to the Petition in this case be continued by two weeks. As grounds therefore, the undersigned states that he recently took over responsibility for responding to the Petition from Assistant U.S. Attorney John Wortmann, who is preparing for trial commencing November 8, 2004, and that the additional time is therefore needed to adequately respond to the various issues raised in the Petition.

Respectfully submitted,

MICHAEL J. SULLIVAN  
United States Attorney

By: /S/ PETER K. LEVITT  
PETER K. LEVITT  
Assistant U.S. Attorney

October 19, 2004

CERTIFICATE OF SERVICE

I, Peter K. Levitt, do hereby certify that I have this 19<sup>th</sup> day of October, 2004, served the foregoing by mail to Elvin Mercado, pro se, No. 2448-038, FMC Devens, PO Box 879, Ayer, MA 01432.

/S/ PETER K. LEVITT

PETER K. LEVITT

ASSISTANT UNITED STATES ATTORNEY